RNI No. MAHBIL /2009/36619

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष ९, अंक ८१(२)] गुरुवार, डिसेंबर २८, २०२३/पौष ७, शके १९४५ [पृष्ठे ५०, किंमत : रुपये ११.००

असाधारण क्रमांक १२०

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक २८ डिसेंबर, २०२३.

सूचना

महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

क्रमांक टिपीबी-४३१७/६२९/प्र.क्र.११८-III/२०१७/नवि-११.— ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करणेत आलेला आहे.) च्या तरतुदींनुसार बृहन्मुंबई महानगरपालिका त्यांचे अधिकार क्षेत्राकरिता (यापुढे ज्याचा उल्लेख "उक्त महानगरपालिका" असा करणेत आलेला आहे.) नियोजन प्राधिकरण आहे ;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३१, पोट-कलम (१) अन्वये प्राप्त अधिकारांचा वापर करून राज्य शासनाने अधिसूचना क्र.टिपीबी-४३१७/६२९/प्र.क्र.११८/२०१७/वि.यो./नवि-११, दि. ८/०५/२०१८ (यापुढे ज्याचा उल्लेख "उक्त अधिसूचना" असा करणेत आलेला आहे) द्वारे बृहन्मुंबई प्रारुप विकास योजना-२०३४ सह विकास नियंत्रण व प्रोत्साहन नियमावली-२०३४ (यापुढे याचा उल्लेख "उक्त नियमावली" असा करणेत आलेला आहे) ला उक्त अधिसूचनेसोबतचे परिशिष्ट-ब मध्ये दर्शविलेले सारभूत स्वरूपाचे फेरबदल (ई.पी.) वगळून उक्त अधिसूचनेसोबतचे परिशिष्ट-अे मध्ये दर्शविलेल्या सुधारणेसह मंजुरी दिली आहे. आणि ज्याअर्थी, शासनाने उक्त अधिसूचनेस सम क्रमांकाचे शुद्धिपत्रक दि.२२ जून २०१८ रोजी निर्गमित केले आहे; आणि ज्याअर्थी, त्यानंतर उक्त अधिसूचनेस शासनाने समक्रमांकाचे शुद्धिपत्रक व पुरकपत्र दि. २९ जून, २०१८ रोजी पारित केले असून सदर शुद्धिपत्रक व पुरकपत्र **महाराष्ट्र शासनाच्या राजपत्रात,** दि. ३० जून, २०१८ रोजी प्रसिद्ध करण्यात आले आहे ; आणि ज्याअर्थी, उक्त नियमावली दि.१/०९/२०१८ पासून अंमलात आली आहे ;

आणि ज्याअर्थी, शासनाने दि. २१/०९/२०१८ रोजीच्या अधिसूचनेद्वारे उक्त नियमावलीमधील सारभूत स्वरूपाचे बदल ईपी-१ ते ईपी-१६८ ला (ठराविक ईपी व निर्णयार्थ प्रलंबित ठेवलेल्या ठराविक तरतुदी वगळून) मंजुरी प्रदान केली आहे ;

आणि ज्याअर्थी, उक्त मंजुरीच्या अधिसूचनेत आणि मंजूर तरतुदीमध्ये टंकलेखनाच्या त्रुटी व चुका तसेच उक्त नियमावलीमधील काही तरतुदींच्या अर्थबोधाची स्पष्टता करून सुसंगती आणणे याकरिता शासनाने दि.१२/११/२०१८ रोजी शुद्धिपत्रक निर्गमित केले आहे ;

आणि ज्याअर्थी, उक्त महानगरपालिकेने उक्त अधिनियमाचे कलम ३० अन्वये प्रारुप विकास योजना-२०३४ शासनाचे मान्यतेस्तव सादर करताना, उक्त अधिनियमाचे कलम २६ अन्वये प्रसिद्ध प्रारुप विकास योजना-२०३४ नुसार ना-विकास क्षेत्रात समाविष्ट असलेल्या जमिनी विशेष विकास विभागात दर्शविण्याचे प्रस्तावित करण्यात आले होते (यापुढे याचा उल्लेख "उक्त प्रस्ताव" असा करणेत आलेला आहे); आणि ज्याअर्थी, उक्त प्रस्ताव उक्त अधिसूचनेनुसार उक्त विकास योजनेच्या मंजुरीतून वगळलेल्या भागांमध्ये समाविष्ट करण्यात आले होते ; आणि ज्याअर्थी, उक्त नियमावलीपूर्वी तत्कालिन विकास नियंत्रण नियमावली-१९९१ (यापुढे याचा उल्लेख "डिसीआर-१९९१" असा करणेत आलेला आहे) मधील विनियम ६० मध्ये ना-विकास क्षेत्रासंबंधी तरतुदी होत्या; आणि ज्याअर्थी, डिसीआर-१९९१ नुसार ना- विकास क्षेत्रात माहिती तंत्रज्ञान / माहिती तंत्रज्ञान सहाय्यभूत सेवा उद्यान, शैक्षणिक/ वैद्यकीय संस्थांच्या इमारती व पर्यटन विकास क्षेत्र म्हणून घोषित केलेल्या जमिनींचा विकास अनुज्ञेय होता; तथापि, उक्त नियमावलीमध्ये म्हणजेच डिसीपीआर-२०३४ मध्ये ना-विकास क्षेत्रासंबंधी तरतुदी समाविष्ट करण्यात आलेल्या नाहीत; आणि ज्याअर्थी, उक्त विकास योजनेत ना-विकास क्षेत्रात कायम करण्यात आलेल्या जमिनींचा विकास नियंत्रित करण्याकरिता उक्त नियमावलीमध्ये ना-विकास क्षेत्रासंबंधी तरतुदी समाविष्ट करणे आवश्यक आहे; आणि ज्याअर्थी, ना-विकास क्षेत्रामध्ये विकास नियंत्रित करण्याची आवश्यकता आहे, तसेच त्याच बरोबर महाराष्ट्र राज्याचे माहिती तंत्रज्ञान व माहिती तंत्रज्ञान सहाय्यभूत सेवा धोरण-२०२३ मधील तरतुदींना अनुसरुन माहिती तंत्रज्ञान / माहिती तंत्रज्ञान सहाय्यभूत सेवा वापरांचे विकासाकरिता प्रोत्साहन देणे गरजेचे असून, जेणेकरुन मोठ्या प्रमाणात रोजगार निर्मिती होण्यास मदत होईल, तसेच नियोजन प्राधिकरण / शासनाचे महसुली उत्पन्नात वाढ होऊ शकेल;

आणि ज्याअर्थी, उक्त नियमावलीचे विनियम ३३(८) "विशेष विकास विभागामध्ये परवडणाऱ्या घरांची बांधणी" यासंदर्भात आहे; आणि ज्याअर्थी, उक्त नियमावलीचे विनियम ३४ मध्ये विशेष विकास विभागासंदर्भात तरतुदी करण्यात आल्या आहेत; आणि ज्याअर्थी, पूर्वी ना-विकास क्षेत्रात समाविष्ट असलेल्या जमिनी ज्या आता विशेष विकास क्षेत्रात दर्शविण्यात आल्या आहेत, अशा जमिनींचे भौगोलिक स्थान व वैशिष्ट्ये विचारात घेता, उक्त नियमावलीमध्ये विशेष विकास विभागासंदर्भातील तरतुदींचा विपरित परिणाम न होण्याच्या दृष्टीने उक्त नियमावलीमधील विशेष विकास विभागासंदर्भातील तरतुदींमध्ये सुधारणा करणे आवश्यक आहे. तसेच विशेष विकास विभागामध्ये झोपडपट्टीने व्याप्त असलेल्या जमिनींचे पुनर्विकासाकरिता तरतूद करण्याची आवश्यकता आहे ;

आणि ज्याअर्थी, उक्त वस्तुस्थिती विचारात घेता, उक्त नियमावलीचे विनियम ३३(८) व विनियम ३४ च्या काही तरतुदींमध्ये सोबत जोडलेल्या परिशिष्टामध्ये दर्शविल्यानुसार फ़ेरबदल करणे सार्वजनिक हिताचे दृष्टीने आवश्यक आहे, अशी शासन नगरविकास विभागाची खात्री झाली आहे. (यापुढे याचा उल्लेख "प्रस्तावित फेरबदल" असा करणेत आलेला आहे).

आणि त्याअर्थी, उपरोक्त परिस्थिती आणि वस्तुस्थिती विचारात घेता आणि उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये प्राप्त अधिकार आणि त्या संदर्भातील सर्व शक्तींचा वापर करून, शासन याद्वारे प्रस्तावित फेरबदलाविषयी उक्त अधिनियमाच्या कलम ३७, पोट-कलम (१कक) चे खंड(क) नुसार कोणत्याही व्यक्तीकडून हरकती / सूचना मागविण्यासाठी तसेच संभाव्य बाधित होणाऱ्या व्यक्तींच्या माहितीसाठी सदर सूचना प्रसिद्ध करीत आहे. शासनाकडून असेही कळविणेत येत आहे की, खालील परिशिष्टात नमूद प्रस्तावित फेरबदलाविषयी कोणत्याही हरकती / सूचना **महाराष्ट्र शासन राजपत्रात** सदर सूचना प्रसिद्ध झाल्याच्या दिनांकापासून एक महिन्याच्या आत उप संचालक, नगररचना, बृहन्मुंबई यांचेकडे इन्सा हटमेंटस, ई-ब्लॉक, आझाद मैदान, महापालिका मार्ग, मुंबई ४०० ००१ या कार्यालयाचे पत्त्यावर पाठविण्यात याव्यात. सदर प्राप्त हरकती / सूचनांवर सुनावणी देऊन तसेच लागू असेल त्याप्रमाणे उक्त महानगरपालिकेचे म्हणणे घेऊन त्यावरील अहवाल शासनास सादर करण्यासाठी उक्त अधिनियमाच्या कलम १६२(१) अन्वये उप संचालक, नगररचना, बृहन्मुंबई यांना शासनाचे वतीने "अधिकारी" म्हणून प्राधिकृत करण्यात येत असून त्यांच्याकडे सदरच्या कालावधीत प्राप्त होणाऱ्या हरकती/सूचना यावर उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये कार्यवाही करण्यात येईल.

उक्त अधिनियमाचे कलम ३७(१कक) अन्वये सदर फेरबदलाची सूचना महाराष्ट्र शासनाच्या *www.maharashtra.gov.in* (कायदा /नियम) या वेबसाईटवर देखील प्रसिद्ध करण्यात यावी.

परिशिष्ट

(नगर विकास विभागाकडील अधिसूचना क्र.टिपीबी-४३१७/६२९/प्र.क्र.११८-III/२०१७/नवि-११, दि.२८/१२/२०२३ सोबतचे परिशिष्ट)

<table>
<tr><th>Regulation No.</th><th>Existing provision</th><th>Sanctioned Provision</th></tr>
<tr><td>Regulation 33(8)</td><td>33(8) Construction of Affordable Housing in Special Development Zone (SDZ)
(I) Private land in SDZ.
(A) General
The provision of this Regulation shall apply to any contiguous, unbroken and uninterrupted piece of land, not less than 2.0ha,……
……
….g) Development cess at 7% of the Land Rate (for FSI 1) for the BUA (excluding fungible compensatory area) to be constructed on Govt./Semi-Govt./Appropriate Authority's share of land as per ASR of the year of approval shall be paid to MCGM.</td><td>33(8) Deleted

(The entire Regulation 33(8) is deleted.)</td></tr>
<tr><td>Regulation 34
Table No. 'A'</td><td>34. Land use Zoning & Uses Permitted
The Proposed Land-use plan depicts the land use zones.
1 General:
In case of development of any land, the intended use shall conform to the permissible uses of the zone in which the land is situated.
2 Zoning definitions:
Following land use zones are demarcated on the Proposed Land-use Plan.
<table>
<tr><th>Zone</th><th>Representation</th><th>Broad Description</th></tr>
<tr><td>Special Development Zone</td><td>SDZ</td><td>Special Development Zone (SDZ) is a zone which is to be developed predominantly for the society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures.</td></tr>
</table></td><td>34. Land use Zoning & Uses Permitted
The Proposed Land-use plan depicts the land use zones.
1 General:
In case of development of any land, the intended use shall conform to the permissible uses of the zone in which the land is situated.
2 Zoning definitions:
Following land use zones are demarcated on the Proposed Land-use Plan.
<table>
<tr><th>Zone</th><th>Representation</th><th>Broad Description</th></tr>
<tr><td>Special Development Zone</td><td>SDZ</td><td>Special Development Zone (SDZ) is a zone ~~which is to be developed predominantly for the society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures.~~ that was shown in NDZ in DP</td></tr>
</table></td></tr>
</table>

<table>
<tr><td></td><td></td><td><table><tr><td></td><td></td><td>but is predominantly encumbered with existing structures eligible for rehabilitation under Slum Redevelopment Scheme.</td></tr></table></td></tr>
<tr><td>New Entry of Land Use Zone added in Regulation 34 Table No. ‘A’</td><td>Nil</td><td><table><tr><th>Zone</th><th>Representation</th><th>Broad Description</th></tr><tr><td>No Development Zone</td><td>NDZ</td><td>No Development Zone is a zone that is consisting of undeveloped lands where limited users are permitted with certain restrictions</td></tr></table></td></tr>
<tr><td>Clause ३.४ of Regulation 34</td><td>3.4 Special Development Zone (SDZ):-
Special Development Zone (SDZ) is a zone which is to be developed predominantly for society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures. The development of SDZ shall be under the provision of regulation 33(8)
Provided that the structures attracting the provisions of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 shall be developed under the provision of Regulation 33(10)
(A) Other Development in SDZ :
The following uses are also permissible provided, however, no services of any kind or Limited/available services will be provided by the Corporation. No subdivision of the land creating size of plot less than 2.0 ha.
(I) ***Institutional Development/ Convention Centre.***</td><td>3.4 Special Development Zone (SDZ):-
Special Development Zone (SDZ) is a special zone in which the existing structures attracting the provisions of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 shall be developed under the provision of Regulation 33(10), with prior approval of State Government in Urban Development Department subject to following conditions:
a) Redevelopment shall be allowed on 65% land and 35% land shall be handed over to BMC to be used for the purpose of open amenity as ROS1.4/ ROS1.5
b) In case of lands which are having tenement density less than 650 per hectare and are partly unencumbered, such unencumbered part of land shall be deemed to be</td></tr>
</table>

	Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions shall be permitted subject to the following conditions: a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land. b. Ground coverage shall not exceed 10% of the area of plot. c. tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space. d. Essential residential development for the staff/officer's accommodation shall be permitted up to the extent of 33% of the permissible BUA. **(II)** ***Development of Cinema and TV Film production,*** Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting uses, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions: a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road). b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting uses shall not exceed 1/3 of permissible FSI 0.2. c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha. **(III)** ***Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units*** IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions: A) Total FSI shall not exceed 0.20 (excluding area of DP road). B) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located	***included in No Development Zone (NDZ) and shall be permissible to be developed as per Regulation 3.5 of this regulation and not under this regulation.*** ~~which is to be developed predominantly for society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures. The development of SDZ shall be under the provision of regulation 33(8)~~ ~~Provided that the structures attracting the provisions of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 shall be developed under the provision of Regulation 33(10)~~ ~~***(A) Other Development in SDZ :***~~ ~~The following uses are also permissible provided, however, no services of any kind or Limited/available services will be provided by the Corporation. No subdivision of the land creating size of plot less than 2.0 ha.~~ ~~**(I)** ***Institutional Development/ Convention Centre.***~~ ~~Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions shall be permitted subject to the following conditions:~~ ~~a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land.~~ ~~b. Ground coverage shall not exceed 10% of the area of plot.~~ ~~c. tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space.~~ ~~d. Essential residential development for the staff/officer's accommodation shall be permitted up to the extent of 33% of the permissible BUA.~~ ~~**(II)** ***Development of Cinema and TV Film production,***~~ ~~Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting uses, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty~~

	such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha. C) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary. **(IV)** ***Tourism Development Area (TDA)*** Sites or plots identified by the Tourism Department of GoM. in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools. If such specified sites are situated in the SDZ , they shall be permitted to be developed for the aforesaid purposes with a FSI 0.50 (excluding area of DP road**)** notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible. Note- If such sites are situated in zone other than SDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A). Guidelines for identification of TDA and for development to be permitted therein **(1)** General Conditions**:** i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. organization/ corporations. ii) These guidelines shall be applicable for TDA, as set out herein below. iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/Designated for Play Ground/Park/Garden/Any other POS reservation.	~~residences, Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions:~~ ~~a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road).~~ ~~b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting uses shall not exceed 1/3 of permissible FSI 0.2.~~ ~~c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha.~~ ~~**(III)** ***Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units***~~ ~~IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions:~~ ~~A) Total FSI shall not exceed 0.20 (excluding area of DP road).~~ ~~B) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha.~~ ~~C) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary.~~ ~~**(IV)** ***Tourism Development Area (TDA)***~~ ~~Sites or plots identified by the Tourism Department of GoM. in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools.~~ ~~If such specified sites are situated in the SDZ , they shall be permitted to be developed for the aforesaid purposes with a FSI 0.50 (excluding area of DP road) notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible.~~

TOURISM DEVELOPMENT AREA COMMITTEE

Proposals for lands to be specified as Tourism Development Area shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:

1	Secretary, Tourism Development Department Mantralaya	Chairman
2	Metropolitan Commissioner MMRDA	Member
3	Municipal Commissioner, Municipal Corporation of Greater Mumbai	Member
4	Dy. Director of Town Planning, Greater Mumbai	Member
5	Representative of Hotel Industries, Mumbai	Member
6	Environmentalist	Member
7	Architect, having 20 years experience in architectural practice.	Member.

This Committee may be called "Tourism Development Area Committee" (TDAC). The persons at 5, 6 & 7 of the Committee may be nominated by Secretary, Tourism Department and the tenure of these members shall change after every 3 years, provided that the same person shall be eligible for reappointment as a Member.

(2) SIZE OF PLOT AND FSI

Maximum area permissible as TDA out of a holding in SDZ shall be as follows:-

Special Development Zone		
Total SDZ Holding	Maximum TDA area permissible (fixed) (in ha.)	Maximum FSI Permissible
More than 2 but less than 5 Ha	40%	0.5 FSI over the TDA area subject to premium of 10% of A.S.R. over and
Equal to or more than 5 Ha but less than 6 Ha	50%	

~~Note- If such sites are situated in zone other than SDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A).~~

~~Guidelines for identification of TDA and for development to be permitted therein~~

~~(1) General Conditions:~~

~~i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. organization/ corporations.~~

~~ii) These guidelines shall be applicable for TDA, as set out herein below.~~

~~iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/Designated for Play Ground/Park/Garden/Any other POS reservation.~~

~~**TOURISM DEVELOPMENT AREA COMMITTEE**~~

~~Proposals for lands to be specified as Tourism Development Area shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:~~

~~1~~	~~Secretary, Tourism Development Department Mantralaya~~	~~Chairman~~
~~2~~	~~Metropolitan Commissioner MMRDA~~	~~Member~~
~~3~~	~~Municipal Commissioner, Municipal Corporation of Greater Mumbai~~	~~Member~~
~~4~~	~~Dy. Director of Town Planning, Greater Mumbai~~	~~Member~~
~~5~~	~~Representative of Hotel Industries, Mumbai~~	~~Member~~
~~6~~	~~Environmentalist~~	~~Member~~
~~7~~	~~Architect, having 20 years experience in architectural practice.~~	~~Member.~~

~~This Committee may be called "Tourism Development Area~~

Equal to or more than 6 Ha but less than 7 Ha	60%	above the Zonal (basic) F.S.I. i.e.0.025for SDZ, out of the amount of premium 50% is payable to State Government and 50% payable to MCGM
Equal to or more than 7 Ha but less than 8 Ha	70%	
Equal to or more than 8 Ha but less than 9 Ha	80%	
Equal to or more than 9 Ha but less than 10 Ha	90%	
Equal to or more than 10 Ha	100%	

Explanation:
1. After deducting the area of TDA, FSI will be available for the rest of the land in SDZ, as provided for the area in SDZ as per clause (VI) (xii).
2. In case of plots having area more than 2 ha in SDZ , no subdivision of plots shall be permitted.

(a) Smaller Plots:
For existing landholders having smaller plots in SDZ, the provisions of promotion of Tourism through bed-and-breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per (A)(VI) of this regulation.

(b) Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:
i. Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB.

~~Committee" (TDAC). The persons at 5, 6 & 7 of the Committee may be nominated by Secretary, Tourism Department and the tenure of these members shall change after every 3 years, provided that the same person shall be eligible for reappointment as a Member.~~

~~(2) SIZE OF PLOT AND FSI~~
~~Maximum area permissible as TDA out of a holding in SDZ shall be as follows:-~~

~~Special Development Zone~~		
~~Total SDZ Holding~~	~~Maximum TDA area permissible (fixed) (in ha.)~~	~~Maximum FSI Permissible~~
~~More than 2 but less than 5 Ha~~	~~40%~~	~~0.5 FSI over the TDA area subject to premium of 10% of A.S.R. over and above the Zonal (basic) F.S.I. i.e.0.025for SDZ, out of the amount of premium 50% is payable to State Government and 50% payable to MCGM~~
~~Equal to or more than 5 Ha but less than 6 Ha~~	~~50%~~	
~~Equal to or more than 6 Ha but less than 7 Ha~~	~~60%~~	
~~Equal to or more than 7 Ha but less than 8 Ha~~	~~70%~~	
~~Equal to or more than 8 Ha but less than 9 Ha~~	~~80%~~	
~~Equal to or more than 9 Ha but less than 10 Ha~~	~~90%~~	
~~Equal to or more than 10 Ha~~	~~100%~~	

~~Explanation:~~
~~1. After deducting the area of TDA, FSI will be available for the~~

	ii. Lands covered by mangroves. iii. Areas from SDZ directly abutting the Residential Zone without being separated by road having width not less than 18.30 m. **c)** Infrastructural Facilities: All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body. **(d)** Reserved Sites for Tourism Development: Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20. **(e)** Environment: Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA. (f)The projects identified as Mega Tourism Projects by Tourism and Cultural Affairs Department of the State Govt. under the Tourism Policy of Maharashtra- 2016" shall be governed by the following special provisions :- Mega Tourism Projects:- 1) The ground coverage shall be 1/2 of the plot area under TDA. 2) The uses which are not covered under this Regulation like studio and Film School with their shooting stages and screening rooms, performing Arts Academy, Students Hostels and faculty residences, Auditoria, Art Gallery,	~~rest of the land in SDZ, as provided for the area in SDZ as per clause (VI) (xii).~~ ~~2. In case of plots having area more than 2 ha in SDZ , no subdivision of plots shall be permitted.~~ ~~**(a)** Smaller Plots:~~ ~~For existing landholders having smaller plots in SDZ, the provisions of promotion of Tourism through bed and breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per (A)(VI) of this regulation.~~ ~~**(b)** Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:~~ ~~i. Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB.~~ ~~ii. Lands covered by mangroves.~~ ~~iii. Areas from SDZ directly abutting the Residential Zone without being separated by road having width not less than 18.30 m.~~ ~~**c)** Infrastructural Facilities:~~ ~~All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body.~~ ~~**(d)** Reserved Sites for Tourism Development:~~ ~~Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20.~~

	Museums, Multiplex, Food & Beverage areas and also a combination of compatible uses may be allowed, with the approval of the Urban Development Department of GOM. 3) The height up to 70m may be allowed for Building of Film Studio, subject to the provisions of Regulation 47. 4) The height of a room in occupancy mentioned at Sr. No.1(e) (ii) of Table15 of Regulation 37, may be permitted for Studio, Museum, Screening Rooms, Multiplex and Auditoria. 5) The 35% fungible Compensatory Floor Space Index may be allowed, subject to the provisions of Regulation 31(3). Note: - The development in the Eco Sensitive Zone and Coastal Regulation Zone shall be governed and regulated as per MoEF's Notification in this regard and Circulars issued from time to time. **(V) Amusement park:** Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The Permissible FSI shall not Exceed 0.025 (excluding area of DP road) a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time. b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner. c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at	~~(e) Environment:~~ ~~Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA.~~ ~~(f)The projects identified as Mega Tourism Projects by Tourism and Cultural Affairs Department of the State Govt. under the Tourism Policy of Maharashtra 2016" shall be governed by the following special provisions :-~~ ~~Mega Tourism Projects:-~~ ~~1) The ground coverage shall be 1/2 of the plot area under TDA.~~ ~~2) The uses which are not covered under this Regulation like studio and Film School with their shooting stages and screening rooms, performing Arts Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Multiplex, Food & Beverage areas and also a combination of compatible uses may be allowed, with the approval of the Urban Development Department of GOM.~~ ~~3) The height up to 70m may be allowed for Building of Film Studio, subject to the provisions of Regulation 47.~~ ~~4) The height of a room in occupancy mentioned at Sr. No.1(e) (ii) of Table15 of Regulation 37, may be permitted for Studio, Museum, Screening Rooms, Multiplex and Auditoria.~~ ~~5) The 35% fungible Compensatory Floor Space Index may be allowed, subject to the provisions of Regulation 31(3).~~ ~~Note: - The development in the Eco Sensitive Zone and Coastal Regulation Zone shall be governed and regulated as per MoEF's Notification in this regard and Circulars issued from time to time.~~ ~~**(V) Amusement park:**~~ ~~Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The~~

	all times, the entire environment clean, neat and hygienic. d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape. f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc. g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park. h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly. i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police. j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner. k) No objection certificate of the Tourism Department shall be obtained. l) The development shall be regulated according to other requirements of these Regulations and subject to all other	~~Permissible FSI shall not Exceed 0.025 (excluding area of DP road)~~ ~~a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.~~ ~~b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner.~~ ~~c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.~~ ~~d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted~~ ~~e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.~~ ~~f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.~~ ~~g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park.~~ ~~h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved~~

	clearances as may be required. m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects. **(VI)** ***Miscellaneous Uses***: The following uses shall be permissible where the permissible FSI shall not exceed 0.025 (excluding area of DP road) (i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings (ii) Gardens and poultry farms; (iii.) Forestry; (iv.) Golf clubs and links; (v.) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types. (vi.) Race tracks and shooting ranges. (vii.) Fish curing on open land/fish farming. (viii.) Salt manufacture from sea water. (ix.) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works,	~~and maintained properly.~~ ~~i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police.~~ ~~j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner.~~ ~~k) No objection certificate of the Tourism Department shall be obtained.~~ ~~l) The development shall be regulated according to other requirements of these Regulations and subject to all other clearances as may be required.~~ ~~m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects.~~ ~~**(VI)** ***Miscellaneous Uses***:~~ ~~The following uses shall be permissible where the permissible FSI shall not exceed 0.025 (excluding area of DP road)~~ ~~(i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings~~ ~~(ii) Gardens and poultry farms;~~ ~~(iii.) Forestry;~~ ~~(iv.) Golf clubs and links;~~ ~~(v.) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for~~

	with the special permission of the Commissioner. (x.) Cemeteries and crematoria and structures incidental thereto. (xi.) Structure for watchmen's quarters each not exceeding 20 sq. m numbers of such structures in each plot to be decided by the Commissioner (xii.) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion. **(VII)** ***Periphery of Vihar and Pawai lake***: In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Pawai lake there exists Municipal/Public Road, then buffer of green belt beyond Municipal/Public Road may not be insisted.	~~recreation of all types.~~ ~~(vi.) Race tracks and shooting ranges.~~ ~~(vii.) Fish curing on open land/fish farming.~~ ~~(viii.) Salt manufacture from sea water.~~ ~~(ix.) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner.~~ ~~(x.) Cemeteries and crematoria and structures incidental thereto.~~ ~~(xi.) Structure for watchmen's quarters each not exceeding 20 sq. m numbers of such structures in each plot to be decided by the Commissioner~~ ~~(xii.) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion.~~ ~~**(VII)** ***Periphery of Vihar and Pawai lake***:~~ ~~In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Pawai lake there exists Municipal/Public Road, then buffer of green belt beyond Municipal/Public Road may not be insisted.~~
3.5	***3.5 Deleted***	***3.5*** ~~***Deleted***~~ **No Development Zone (NDZ):** *The following uses are permissible in NDZ, provided* *a) Limited/Available services will be provided by the Corporation,*

		with charging special premium for these services, to be decided by Municipal Commissioner. *b) No subdivision of the land creating size of plot less than 1.0 ha shall be permitted.* ***(I) Institutional Development / Convention Centre*** *Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions with minimum area 5ha. shall be permitted subject to the following conditions:* *a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land.* *b. Ground coverage shall not exceed 10% of the area of plot.* *c. tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space.* *d. Essential residential development for the staff/officer's accommodation shall be permitted upto the extent of 33% of the permissible BUA.* ***(II) Development of Cinema and TV Film production*** *Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting uses, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed with minimum area of 2ha. subject to the following conditions:* *a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road).*

		b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting uses shall not exceed 1/3 of permissible FSI 0.2. *c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha.* ***(III) (A) Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units, with special permission of Commissioner:*** *IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions:* *a) Total FSI shall not exceed 0.20 (excluding area of DP road).* *b) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha.* *c) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary.* ***(B) Information Technology & Information Technology Enabled Services (IT/ITES), IITP and Data-Center, StartUp, AVGC, with special permission of State Government in Urban Development Department.*** *For any contiguous, unbroken and uninterrupted piece of land, admeasuring not less than 1.0 ha or in case Owners of land parcels having plot area lesser than 1.0 ha come together to create contiguous land parcels of 1.0 ha or more, may allow to be developed for Information Technology & Information Technology Enabled Services (IT/ITES) with total permissible FSI on the plot as per the table given in Regulation 33(13) of these regulations along with all other relevant conditions mentioned in the said*

		regulation with prior approval of State Government -UDD and with following additional conditions: *a) The base FSI shall be 0.20.* *b) Development shall be in conformity with other applicable laws and regulations.* *c) The additional FSI above base FSI of 0.20 shall be allowed on payment of premium at the rate as mentioned in regulation 33(13) of these regulations.* *d) This provision shall be applicable only in case the proposal is approved and IOD is issued within a period of one year from the date of coming into force of this regulation.* *e) In case if the proposal is submitted but not received approval from Government within one year or in case if the IOD is obtained within one year but the development permission (CC) is not obtained within one year from the date of issue of IOD, the proposal shall stand lapsed.* *f) All the constructions shall be energy efficient and green with relevant certifications.* *g) All other relevant provisions of these regulations including Amenity space as per regulation 14A shall be provided.* ***(IV) Tourism Development Area (TDA)*** *Sites or plots identified by the Tourism Department of GoM. in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf*

		courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools. *If such specified sites are situated in the NDZ, they shall be permitted to be developed for the aforesaid purposes with a FSI 0.50 (excluding area of DP road) notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible.* *Note- If such sites are situated in zone other than NDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A).* *Guidelines for identification of TDA and for development to be permitted therein* ***(1) General Conditions:*** *i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. organization/corporations.* *ii) These guidelines shall be applicable for TDA, as set out hereinbelow.* *iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/ Designated for Play Ground/Park/Garden/Any other POS reservation.* ***TOURISM DEVELOPMENT AREA COMMITTEE*** *Proposals for lands to be specified as Tourism Development Area shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:* *1 — Secretary, Tourism Development Department Mantralaya — Chairman*

2	*Metropolitan Commissioner MMRDA*	*Member*
3	*Municipal Commissioner, Municipal Corporation of Greater Mumbai*	*Member*
4	*Dy. Director of Town Planning, Greater Mumbai*	*Member*
5	*Representative of Hotel Industries, Mumbai*	*Member*
6	*Environmentalist*	*Member*
7	*Architect, having 20 years experience in architectural practice.*	*Member*

This Committee may be called "Tourism Development Area Committee" (TDAC). The persons at 5, 6 & 7 of the Committee may be nominated by Secretary, Tourism Department and the tenure of these members shall change after every 3 years, provided that the same person shall be eligible for reappointment as a Member.

(2) SIZE OF PLOT AND FSI Maximum area permissible as TDA out of a holding in NDZ shall be as follows:

No Development Zone		
Total TDZ Holding	*Maximum TDA area permissible (fixed)(in ha)*	*Maximum FSI Permissible*
More than 2 but less than 5 Ha	*40%*	*0.5 FSI over the TDA area subject to*

Equal to or more than 5 Ha but less than 6Ha	*50%*	*premium of 10% of A.S.R. over and above the Zonal (basic) F.S.I. i.e. 0.025 for NDZ, out of the amount of premium 50% is payable to State Government and 50% payable to MCGM.*
Equal to or more than 6 Ha but less than 7Ha	*60%*	
Equal to or more than 7 Ha but less than 8Ha	*70%*	
Equal to or more than 8 Ha but less than 9Ha	*80%*	
Equal to or more than 9 Ha but less than 10Ha	*90%*	
Equal to or more than 10 Ha	*100%*	

Explanation:

1. After deducting the area of TDA, FSI will be available for the rest of the land in NDZ, as provided for the area in NDZ as per clause (VI)(xii).

2. In case of plots having area more than 2 ha in NDZ, no subdivision of plots shall be permitted.

(a) Smaller Plots:

For existing landholders having smaller plots in NDZ, the provisions of promotion of Tourism through bed-and-breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per (A)(VI) of this regulation.

(b) Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:

		i Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB. *ii Lands covered by mangroves.* *iii Areas from NDZ directly abutting the Residential Zone without being separated by road having width not less than 18.30 m.* ***(c) Infrastructural Facilities:*** *All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body.* ***(d) Reserved Sites for Tourism Development:*** *Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20.* ***(e) Environment:*** *Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA.* ***(f) (The projects identified as Mega Tourism Projects by Tourism and Cultural Affairs Department of the State Govt. under the Tourism Policy of Maharashtra- 2016" shall be governed by the following special provisions:-*** ***Mega Tourism Projects:-***

		1) The ground coverage shall be 1/2 of the plot area under TDA. *2) The uses which are not covered under this Regulation like studio and Film School with their shooting stages and screening rooms, performing Arts Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Multiplex, Food & Beverage areas and also a combination of compatible uses may be allowed, with the approval of the Urban Development Department of GOM.* *3) The height up to 70 m may be allowed for Building of Film Studio, subject to the provisions of Regulation 47* *4) The height of a room in occupancy mentioned at Sr. No.1(e) (ii) of Table 15 of Regulation 37, may be permitted for Studio, Museum, Screening Rooms, Multiplex and Auditoria.* *5) The 35% fungible Compensatory Floor Space Index may be allowed, subject to the provisions of Regulation 31(3).* ***Note:-** The development in the Eco Sensitive Zone and Coastal Regulation Zone shall be governed and regulated as per MoEF's Notification in this regard and Circulars issued from time to time.* ***(V) Amusement park:*** *Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean-park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The Permissible FSI shall not Exceed 0.025 (excluding area of DP road)* *a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at anytime.* *b) The required infrastructure, like proper and adequate access to*

		the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner. *c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.* *d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fastfood shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted* *e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and land scape.* *f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.* *g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park.* *h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.* *i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as*

		prescribed by and to the satisfaction of the Commissioner and Commissioner of Police. *j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner.* *k) No objection certificate of the Tourism Department shall be obtained.* *l) The development shall be regulated according to other requirements of these Regulations and subject to all other clearances as may be required.* *m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects.* ***(VI) Miscellaneous Uses:*** *The following uses shall be permissible where the permissible FSI shall not exceed 0.025 (excluding area of DP road)* *(i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings* *(ii) Gardens and poultry farms;* *(iii) Forestry;* *(iv) Golf clubs and links;* *(v) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types.*

		(vi) Race tracks and shooting ranges. *(vii) Fish curing on open land/fish farming.* *(viii) Salt manufacture from sea water.* *(ix) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner.* *(x) Cemeteries and crematoria and structures incidental thereto.* *(xi) Structure for watchmen's quarters each not exceeding 20 sq.m numbers of such structures in each plot to be decided by the Commissioner* *(xii) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion.* ***(VII) Periphery of Vihar and Pawai lake:*** *In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Pawai lake there exists Municipal/Public Road may not be insisted.* ***(VIII) Global Cap on maximum permissible built up area in No Development Zone (NDZ):*** *Though certain users as mentioned in above provisions (I) to (VII)*

		are permissible in No Development Zone, the construction in this zone is to be restricted due to various reasons like limited or no services available at present. Hence, the land in this zone is not barred for development, but to be released for development / construction in phases depending upon the availability of services and examining the requirements of the city. Therefore considering the need and demand of Information Technology users as well as potential of this use for employment generation the same is allowed for limited period on certain conditions presently. *The sum total of the proposed built up areas approved in all proposals as per all above provisions (I) to (VII) and that in all proposals approved as per the provisions of earlier regulations shall not exceed 100% of the total area of land in this zone. BMC shall maintain the upto date record of all permissions granted along with the cumulative approved built up areas in this zone and the same shall be made available on website with real time updates accessible to general public.* Note:- *i) Reservation shall not be allowed to be developed under Regulation 17 under the Accommodation Reservation.* *ii) Land owner shall entitled for TDR as per Regulation 32, in lieu surrendering the land under reservation.*

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

निर्मलकुमार पं. चौधरी,
शासनाचे उप सचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 28th December, 2023.

NOTICE

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No.TPB-4317/629/CR-118-III/2017/UD-11.— Whereas, the Brihanmumbai Municipal Corporation is the Planning Authority for the area within its jurisdiction (hereinafter referred to as "the said Corporation") as per the provision of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") ;

Whereas, in exercise of the powers conferred by sub Section (*1*) of Section 31 of the said Act, the State Government *vide* Notification No. TPB-4317/629/CR-118/2017/DP/UD-11, Dt. 08/05/2018 (hereinafter referred to as "the said Notification") has accorded sanction to the Draft Development Plan-2034 of Greater Mumbai along with the Development Control and Promotion Regulations -2034 for Greater Mumbai (hereinafter referred to as "the said Regulations") with modifications shown in SCHEDULE-A appended to the said Notification excluding the substantial modifications as shown in SCHEDULE-B appended to the said Notification. And whereas, Government has issued corrigendum of even number dt. 22nd June, 2018; And whereas, thereafter Government has issued a Corrigendum and Addendum of even number dt. 29th June, 2018 to the said Notification, which is published in *Government Gazette* dt. 30th June, 2018; And whereas, the said Regulations have come into force from 1/09/2018 ;

And whereas, the Government of Maharashtra *vide* Notification dt. 21/09/2018 has sanctioned EP-1 to EP-168 (Excluding certain EP and provisions which were kept in abeyance) in the said Regulation ;

And whereas, the Government of Maharashtra *vide* Notification dt. 12/11/2018 has issued corrigendum in respect of some typographical errors and mistakes and also to clarify and co-relate certain provisions of said Regulations for its proper interpretation ;

And whereas, the said Corporation while submitting the Draft Development Plan-2034 u/s 30 of the said Act for sanction of the Government, the lands included in "No Development Zone" (hereinafter referred to as "NDZ") as per Draft Development Plan-2034 published u/s 26 of the said Act, were proposed to be shown in "Special Development Zone" (hereinafter referred to as "SDZ") (hereinafter referred to as "the said Proposals") and whereas, the said proposals were included in "Excluded Part" of the said Development Plan as per said Notification; And whereas, the then Development Control Regulations-1991 (hereinafter referred to as "the DCR-1991") were in force before the said Regulations; And whereas, there was a provision regarding NDZ in the Regulation 60 of the DCR-1991; And whereas, as per DCR-1991, the development of IT/ITES Park, Buildings of Educational/ Medical Institutions and lands declared as Tourism Development Zone etc. was permissible in NDZ; However, in the said Regulations i.e. DCPR-2034, the provisions regarding NDZ are not included; And whereas, it is necessary to incorporate the provisions for NDZ to regulate the development of lands which are retained in NDZ in the said Development Plan; And whereas, it is necessary to restrict the development in NDZ, however, at the same it is also necessary to promote the development of IT & ITES users as per the provisions of the Maharashtra State IT & ITES Policy-2023 which will eventually help in generating more employment and will also help in increasing revenue generation of Planning Authority/Government ;

And whereas, Regulation 33(8) of the said Regulations stipulate about "Construction of Affordable Housing in SDZ"; and whereas, there are provisions regarding SDZ in Regulation 34 of the said Regulation; and whereas, considering geographical distribution and characteristics of the lands which were previously included in NDZ but now in SDZ, to avoid adverse impact of provisions regarding SDZ, it is necessary to modify the provisions regarding SDZ given in the said Regulations, however, there is need to make a provision for redevelopment of lands in SDZ which are encumbered by slums;

And whereas, considering the above facts, the Government in Urban Development Department is of the opinion that in the public interest, it is expedient to modify Regulation 33(8) and certain provisions of the Regulation 34 of the said Regulations, as specifically described in the Schedule attached herewith (hereinafter referred to as "the Proposed Modification") ;

Now, therefore, after considering the above facts and circumstances and in exercise of the powers conferred by sub-section (*1AA*) of Section 37 of the said Act; and of all other powers enabling it in this behalf, Government hereby publishes a Notice for inviting objections/ suggestions from any persons with respect to the Proposed Modification, as required by clause (a) of sub-section (*1AA*) of Section 37 of the said Act, for information of all persons likely to be affected thereby. The Government is further pleased to inform that any objections/ suggestions in respect of the Proposed Modification mentioned in the Schedule attached herewith may be forwarded, before the expiry of one month from the date of publication of this Notice in the *Maharashtra Government Gazette*, (hereinafter referred to as "the said period") to the Deputy Director of Town Planning., Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400 001. Any objections / suggestions, which may be received within the said period will be dealt with in accordance with the provisions of sub-section (*1AA*) of Section 37 of the said Act by the Deputy Director of Town Planning, Greater Mumbai, who is hereby authorised under Section 162(1) of the said Act as an "officer" on the behalf of Government to hear objections / suggestions which are received and say of the said Corporation, as the case may be and submit his report to the Government ;

This Notice under sub-section (*1AA*) of Section 37 of the said Act shall also be available on the Govt. of Maharashtra website : *www.maharashtra.gov.in* (Acts/Rules).

SCHEDULE

(Appended to Government in Urban Development Department's Notification No.TPB-4317/629/CR-118-III /2017/UD-11, Dated – 28th December, 2023)

<table>
<tr><th>Regulation No.</th><th>Existing provision</th><th>Sanctioned Provision</th></tr>
<tr><td>Regulation 33(8)</td><td>33(8) Construction of Affordable Housing in Special Development Zone (SDZ)
(I) Private land in SDZ.
(A) General
The provision of this Regulation shall apply to any contiguous, unbroken and uninterrupted piece of land, not less than 2.0ha,……
……
….g) Development cess at 7% of the Land Rate (for FSI 1) for the BUA (excluding fungible compensatory area) to be constructed on Govt./Semi-Govt./Appropriate Authority's share of land as per ASR of the year of approval shall be paid to MCGM.</td><td>33(8) Deleted

(The entire Regulation 33(8) is deleted.)</td></tr>
<tr><td>Regulation 34
Table No. 'A'</td><td>34. Land use Zoning & Uses Permitted
The Proposed Land-use plan depicts the land use zones.
1 General:
In case of development of any land, the intended use shall conform to the permissible uses of the zone in which the land is situated.
2 Zoning definitions:
Following land use zones are demarcated on the Proposed Land-use Plan.
<table>
<tr><th>Zone</th><th>Representation</th><th>Broad Description</th></tr>
<tr><td>Special Development Zone</td><td>SDZ</td><td>Special Development Zone (SDZ) is a zone which is to be developed predominantly for the society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures.</td></tr>
</table></td><td>34. Land use Zoning & Uses Permitted
The Proposed Land-use plan depicts the land use zones.
1 General:
In case of development of any land, the intended use shall conform to the permissible uses of the zone in which the land is situated.
2 Zoning definitions:
Following land use zones are demarcated on the Proposed Land-use Plan.
<table>
<tr><th>Zone</th><th>Representation</th><th>Broad Description</th></tr>
<tr><td>Special Development Zone</td><td>SDZ</td><td>Special Development Zone (SDZ) is a zone ~~which is to be developed predominantly for the society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures.~~ that</td></tr>
</table></td></tr>
</table>

		was shown in NDZ in DP but is predominantly encumbered with existing structures eligible for rehabilitation under Slum Redevelopment Scheme.
New Entry of Land Use Zone added in Regulation 34 Table No. 'A'	Nil	**Zone** / **Representation** / **Broad Description** ***No Development Zone*** / ***NDZ*** / ***No Development Zone is a zone that is consisting of undeveloped lands where limited users are permitted with certain restrictions***
Clause ३.४ of Regulation 34	***3.4 Special Development Zone (SDZ):-*** Special Development Zone (SDZ) is a zone which is to be developed predominantly for society at large with emphasis on Affordable Housing, POS and necessary Social infrastructures. The development of SDZ shall be under the provision of regulation 33(8) Provided that the structures attracting the provisions of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 shall be developed under the provision of Regulation 33(10) ***(A) Other Development in SDZ :*** The following uses are also permissible provided, however, no services of any kind or Limited/available services will be provided by the Corporation. No subdivision of the land creating size of plot less than 2.0 ha. **(I)** ***Institutional Development/ Convention Centre.*** Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions shall be permitted subject to the following conditions:	***3.4 Special Development Zone (SDZ):-*** Special Development Zone (SDZ) is a ***special*** zone ***in which the existing structures attracting the provisions of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 shall be developed under the provision of Regulation 33(10), with prior approval of State Government in Urban Development Department subject to following conditions:*** ***a) Redevelopment shall be allowed on 65% land and 35% land shall be handed over to BMC to be used for the purpose of open amenity as ROS1.4/ ROS1.5*** ***b) In case of lands which are having tenement density less than 650 per hectare and are partly unencumbered, such unencumbered part of land shall be deemed to be included in No Development Zone (NDZ) and shall be permissible to be developed as per Regulation 3.5 of this regulation and not under this regulation.*** ~~which is to be developed predominantly for society at large with~~

	a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land. b. Ground coverage shall not exceed 10% of the area of plot. c. tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space. d. Essential residential development for the staff/officer's accommodation shall be permitted up to the extent of 33% of the permissible BUA. **(II)** ***Development of Cinema and TV Film production***, Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting uses, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions: a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road). b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting uses shall not exceed 1/3 of permissible FSI 0.2. c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha. **(III)** ***Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units*** IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions: A) Total FSI shall not exceed 0.20 (excluding area of DP road). B) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha. C) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary.	~~emphasis on Affordable Housing, POS and necessary Social infrastructures. The development of SDZ shall be under the provision of regulation 33(8)~~ ~~Provided that the structures attracting the provisions of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 shall be developed under the provision of Regulation 33(10)~~ ~~***(A) Other Development in SDZ :***~~ ~~The following uses are also permissible provided, however, no services of any kind or Limited/available services will be provided by the Corporation. No subdivision of the land creating size of plot less than 2.0 ha.~~ ~~**(I)** ***Institutional Development/ Convention Centre.***~~ ~~Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions shall be permitted subject to the following conditions:~~ ~~a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land.~~ ~~b. Ground coverage shall not exceed 10% of the area of plot.~~ ~~c. tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space.~~ ~~d. Essential residential development for the staff/officer's accommodation shall be permitted up to the extent of 33% of the permissible BUA.~~ ~~**(II)** ***Development of Cinema and TV Film production***,~~ ~~Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting uses, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions:~~ ~~a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road).~~

	(IV) ***Tourism Development Area (TDA)*** Sites or plots identified by the Tourism Department of GoM. in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools. If such specified sites are situated in the SDZ , they shall be permitted to be developed for the aforesaid purposes with a FSI 0.50 (excluding area of DP road**)** notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible. Note- If such sites are situated in zone other than SDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A). Guidelines for identification of TDA and for development to be permitted therein **(1)** General Conditions**:** i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. organization/ corporations. ii) These guidelines shall be applicable for TDA, as set out herein below. iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/Designated for Play Ground/Park/Garden/Any other POS reservation. **TOURISM DEVELOPMENT AREA COMMITTEE** Proposals for lands to be specified as Tourism Development Area shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:	~~b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting uses shall not exceed 1/3 of permissible FSI 0.2.~~ ~~c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha.~~ ~~**(III)** ***Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units***~~ ~~IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions:~~ ~~A) Total FSI shall not exceed 0.20 (excluding area of DP road).~~ ~~B) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha.~~ ~~C) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary.~~ ~~**(IV)** ***Tourism Development Area (TDA)***~~ ~~Sites or plots identified by the Tourism Department of GoM. in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools.~~ ~~If such specified sites are situated in the SDZ , they shall be permitted to be developed for the aforesaid purposes with a FSI 0.50 (excluding area of DP road) notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible.~~ ~~Note- If such sites are situated in zone other than SDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A).~~

1	Secretary, Tourism Development Department Mantralaya	Chairman
2	Metropolitan Commissioner MMRDA	Member
3	Municipal Commissioner, Municipal Corporation of Greater Mumbai	Member
4	Dy. Director of Town Planning, Greater Mumbai	Member
5	Representative of Hotel Industries, Mumbai	Member
6	Environmentalist	Member
7	Architect, having 20 years experience in architectural practice.	Member.

This Committee may be called "Tourism Development Area Committee" (TDAC). The persons at 5, 6 & 7 of the Committee may be nominated by Secretary, Tourism Department and the tenure of these members shall change after every 3 years, provided that the same person shall be eligible for reappointment as a Member.

(2) SIZE OF PLOT AND FSI
Maximum area permissible as TDA out of a holding in SDZ shall be as follows:-

Special Development Zone		
Total SDZ Holding	Maximum TDA area permissible (fixed) (in ha.)	Maximum FSI Permissible
More than 2 but less than 5 Ha	40%	0.5 FSI over the TDA area subject to premium of 10% of A.S.R. over and above the Zonal (basic) F.S.I. i.e.0.025for SDZ, out of the amount of premium 50%
Equal to or more than 5 Ha but less than 6 Ha	50%	
Equal to or more than 6 Ha but less than 7 Ha	60%	
Equal to or more than 7 Ha but less	70%	

~~Guidelines for identification of TDA and for development to be permitted therein~~

~~**(1)** General Conditions:~~
~~i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. organization/ corporations.~~
~~ii) These guidelines shall be applicable for TDA, as set out herein below.~~
~~iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/Designated for Play Ground/Park/Garden/Any other POS reservation.~~

~~**TOURISM DEVELOPMENT AREA COMMITTEE**~~
~~Proposals for lands to be specified as Tourism Development Area shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:~~

~~1~~	~~Secretary, Tourism Development Department Mantralaya~~	~~Chairman~~
~~2~~	~~Metropolitan Commissioner MMRDA~~	~~Member~~
~~3~~	~~Municipal Commissioner, Municipal Corporation of Greater Mumbai~~	~~Member~~
~~4~~	~~Dy. Director of Town Planning, Greater Mumbai~~	~~Member~~
~~5~~	~~Representative of Hotel Industries, Mumbai~~	~~Member~~
~~6~~	~~Environmentalist~~	~~Member~~
~~7~~	~~Architect, having 20 years experience in architectural practice.~~	~~Member.~~

~~This Committee may be called "Tourism Development Area Committee" (TDAC). The persons at 5, 6 & 7 of the Committee may be nominated by Secretary, Tourism Department and the tenure of these members shall change after every 3 years, provided that the same person shall be eligible for reappointment as a Member.~~

than 8 Ha		is payable to State Government and 50% payable to MCGM
Equal to or more than 8 Ha but less than 9 Ha	80%	
Equal to or more than 9 Ha but less than 10 Ha	90%	
Equal to or more than 10 Ha	100%	

Explanation:
1. After deducting the area of TDA, FSI will be available for the rest of the land in SDZ, as provided for the area in SDZ as per clause (VI) (xii).
2. In case of plots having area more than 2 ha in SDZ , no subdivision of plots shall be permitted.

(a) Smaller Plots:
For existing landholders having smaller plots in SDZ, the provisions of promotion of Tourism through bed-and-breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per (A)(VI) of this regulation.

(b) Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:
i. Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB.
ii. Lands covered by mangroves.
iii. Areas from SDZ directly abutting the Residential Zone without being separated by road having width not less than 18.30 m.

~~(2) SIZE OF PLOT AND FSI~~
~~Maximum area permissible as TDA out of a holding in SDZ shall be as follows:-~~

~~Special Development Zone~~		
~~Total SDZ Holding~~	~~Maximum TDA area permissible (fixed) (in ha.)~~	~~Maximum FSI Permissible~~
~~More than 2 but less than 5 Ha~~	~~40%~~	~~0.5 FSI over the TDA area subject to premium of 10% of A.S.R. over and above the Zonal (basic) F.S.I. i.e.0.025for SDZ, out of the amount of premium 50% is payable to State Government and 50% payable to MCGM~~
~~Equal to or more than 5 Ha but less than 6 Ha~~	~~50%~~	
~~Equal to or more than 6 Ha but less than 7 Ha~~	~~60%~~	
~~Equal to or more than 7 Ha but less than 8 Ha~~	~~70%~~	
~~Equal to or more than 8 Ha but less than 9 Ha~~	~~80%~~	
~~Equal to or more than 9 Ha but less than 10 Ha~~	~~90%~~	
~~Equal to or more than 10 Ha~~	~~100%~~	

~~Explanation:~~
~~1. After deducting the area of TDA, FSI will be available for the rest of the land in SDZ, as provided for the area in SDZ as per clause (VI) (xii).~~
~~2. In case of plots having area more than 2 ha in SDZ , no subdivision of plots shall be permitted.~~

	c) Infrastructural Facilities: All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body. **(d)** Reserved Sites for Tourism Development: Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20. **(e)** Environment: Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA. (f)The projects identified as Mega Tourism Projects by Tourism and Cultural Affairs Department of the State Govt. under the Tourism Policy of Maharashtra- 2016" shall be governed by the following special provisions :- Mega Tourism Projects:- 1) The ground coverage shall be 1/2 of the plot area under TDA. 2) The uses which are not covered under this Regulation like studio and Film School with their shooting stages and screening rooms, performing Arts Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Multiplex, Food & Beverage areas and also a combination of compatible uses may be allowed, with the approval of the Urban Development Department of GOM. 3) The height up to 70m may be allowed for Building of Film Studio, subject to the provisions of Regulation 47.	~~**(a)** Smaller Plots:~~ ~~For existing landholders having smaller plots in SDZ, the provisions of promotion of Tourism through bed and breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per (A)(VI) of this regulation.~~ ~~**(b)** Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:~~ ~~i. Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB.~~ ~~ii. Lands covered by mangroves.~~ ~~iii. Areas from SDZ directly abutting the Residential Zone without being separated by road having width not less than 18.30 m.~~ ~~**c)** Infrastructural Facilities:~~ ~~All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body.~~ ~~**(d)** Reserved Sites for Tourism Development:~~ ~~Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20.~~ ~~**(e)** Environment:~~ ~~Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA.~~

	4) The height of a room in occupancy mentioned at Sr. No.1(e) (ii) of Table15 of Regulation 37, may be permitted for Studio, Museum, Screening Rooms, Multiplex and Auditoria. 5) The 35% fungible Compensatory Floor Space Index may be allowed, subject to the provisions of Regulation 31(3). Note: - The development in the Eco Sensitive Zone and Coastal Regulation Zone shall be governed and regulated as per MoEF's Notification in this regard and Circulars issued from time to time. **(V) Amusement park:** Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The Permissible FSI shall not Exceed 0.025 (excluding area of DP road) a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time. b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner. c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic. d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food	~~(f)The projects identified as Mega Tourism Projects by Tourism and Cultural Affairs Department of the State Govt. under the Tourism Policy of Maharashtra- 2016" shall be governed by the following special provisions :-~~ ~~Mega Tourism Projects:-~~ ~~1) The ground coverage shall be 1/2 of the plot area under TDA.~~ ~~2) The uses which are not covered under this Regulation like studio and Film School with their shooting stages and screening rooms, performing Arts Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Multiplex, Food & Beverage areas and also a combination of compatible uses may be allowed, with the approval of the Urban Development Department of GOM.~~ ~~3) The height up to 70m may be allowed for Building of Film Studio, subject to the provisions of Regulation 47.~~ ~~4) The height of a room in occupancy mentioned at Sr. No.1(e) (ii) of Table15 of Regulation 37, may be permitted for Studio, Museum, Screening Rooms, Multiplex and Auditoria.~~ ~~5) The 35% fungible Compensatory Floor Space Index may be allowed, subject to the provisions of Regulation 31(3).~~ ~~Note: - The development in the Eco Sensitive Zone and Coastal Regulation Zone shall be governed and regulated as per MoEF's Notification in this regard and Circulars issued from time to time.~~ ~~**(V) Amusement park:**~~ ~~Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The Permissible FSI shall not Exceed 0.025 (excluding area of DP road)~~ ~~a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.~~

	shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape. f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc. g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park. h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly. i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police. j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner. k) No objection certificate of the Tourism Department shall be obtained. l) The development shall be regulated according to other requirements of these Regulations and subject to all other clearances as may be required. m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and	~~b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner.~~ ~~c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.~~ ~~d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted~~ ~~e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.~~ ~~f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.~~ ~~g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park.~~ ~~h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.~~ ~~i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and~~

	traffic aspects. **(VI)** ***Miscellaneous Uses***: The following uses shall be permissible where the permissible FSI shall not exceed 0.025 (excluding area of DP road) (i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings (ii) Gardens and poultry farms; (iii.) Forestry; (iv.) Golf clubs and links; (v.) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types. (vi.) Race tracks and shooting ranges. (vii.) Fish curing on open land/fish farming. (viii.) Salt manufacture from sea water. (ix.) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner. (x.) Cemeteries and crematoria and structures incidental thereto. (xi.) Structure for watchmen's quarters each not exceeding 20	~~Commissioner of Police.~~ ~~j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner.~~ ~~k) No-objection certificate of the Tourism Department shall be obtained.~~ ~~l) The development shall be regulated according to other requirements of these Regulations and subject to all other clearances as may be required.~~ ~~m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects.~~ ~~**(VI)** ***Miscellaneous Uses***:~~ ~~The following uses shall be permissible where the permissible FSI shall not exceed 0.025 (excluding area of DP road)~~ ~~(i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings~~ ~~(ii) Gardens and poultry farms;~~ ~~(iii.) Forestry;~~ ~~(iv.) Golf clubs and links;~~ ~~(v.) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types.~~ ~~(vi.) Race tracks and shooting ranges.~~ ~~(vii.) Fish curing on open land/fish farming.~~

	sq. m numbers of such structures in each plot to be decided by the Commissioner (xii.) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion. **(VII)** ***Periphery of Vihar and Pawai lake***: In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Pawai lake there exists Municipal/Public Road, then buffer of green belt beyond Municipal/Public Road may not be insisted.	~~(viii.) Salt manufacture from sea water.~~ ~~(ix.) Public utility establishments such as electric sub stations, receiving stations, switch yards, over head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner.~~ ~~(x.) Cemeteries and crematoria and structures incidental thereto.~~ ~~(xi.) Structure for watchmen's quarters each not exceeding 20 sq. m numbers of such structures in each plot to be decided by the Commissioner~~ ~~(xii.) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion.~~ ~~**(VII)** ***Periphery of Vihar and Pawai lake***:~~ ~~In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Pawai lake there exists Municipal/Public Road, then buffer of green belt beyond Municipal/Public Road may not be insisted.~~
3.5	***3.5 Deleted***	***3.5*** ~~***Deleted***~~ **No Development Zone (NDZ):** *The following uses are permissible in NDZ, provided* *a) Limited/Available services will be provided by the Corporation, with charging special premium for these services, to be decided by Municipal Commissioner.* *b) No subdivision of the land creating size of plot less than 1.0 ha shall be permitted.*

		(I) Institutional Development / Convention Centre *Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions with minimum area 5ha. shall be permitted subject to the following conditions:* *a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land.* *b. Ground coverage shall not exceed 10% of the area of plot.* *c. tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space.* *d. Essential residential development for the staff/officer's accommodation shall be permitted upto the extent of 33% of the permissible BUA.* ***(II) Development of Cinema and TV Film production*** *Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting uses, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed with minimum area of 2ha. subject to the following conditions:* *a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road).* *b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting uses shall not exceed 1/3 of permissible FSI 0.2.* *c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha.*

		(III) (A) Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units, with special permission of Commissioner: *IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions:* *a) Total FSI shall not exceed 0.20 (excluding area of DP road).* *b) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha.* *c) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary.* ***(B) Information Technology & Information Technology Enabled Services (IT/ITES), IITP and Data-Center, StartUp, AVGC, with special permission of State Government in Urban Development Department.*** *For any contiguous, unbroken and uninterrupted piece of land, admeasuring not less than 1.0 ha or in case Owners of land parcels having plot area lesser than 1.0 ha come together to create contiguous land parcels of 1.0 ha or more, may allow to be developed for Information Technology & Information Technology Enabled Services (IT/ITES) with total permissible FSI on the plot as per the table given in Regulation 33(13) of these regulations along with all other relevant conditions mentioned in the said regulation with prior approval of State Government -UDD and with following additional conditions:* *a) The base FSI shall be 0.20.* *b) Development shall be in conformity with other applicable*

		laws and regulations. *c) The additional FSI above base FSI of 0.20 shall be allowed on payment of premium at the rate as mentioned in regulation 33(13) of these regulations.* *d) This provision shall be applicable only in case the proposal is approved and IOD is issued within a period of one year from the date of coming into force of this regulation.* *e) In case if the proposal is submitted but not received approval from Government within one year or in case if the IOD is obtained within one year but the development permission (CC) is not obtained within one year from the date of issue of IOD, the proposal shall stand lapsed.* *f) All the constructions shall be energy efficient and green with relevant certifications.* *g) All other relevant provisions of these regulations including Amenity space as per regulation 14A shall be provided.* ***(IV) Tourism Development Area (TDA)*** *Sites or plots identified by the Tourism Department of GoM. in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools.* *If such specified sites are situated in the NDZ, they shall be permitted to be developed for the aforesaid purposes with a FSI*

		0.50 (excluding area of DP road) notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible. *Note- If such sites are situated in zone other than NDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A).* *Guidelines for identification of TDA and for development to be permitted therein* ***(1) General Conditions:*** *i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. organization/corporations.* *ii) These guidelines shall be applicable for TDA, as set out hereinbelow.* *iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/ Designated for Play Ground/Park/Garden/Any other POS reservation.* ***TOURISM DEVELOPMENT AREA COMMITTEE*** *Proposals for lands to be specified as Tourism Development Area shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:* *1 — Secretary, Tourism Development Department Mantralaya — Chairman* *2 — Metropolitan Commissioner MMRDA — Member* *3 — Municipal Commissioner, Municipal Corporation of Greater Mumbai — Member*

4	*Dy. Director of Town Planning, Greater Mumbai*	*Member*
5	*Representative of Hotel Industries, Mumbai*	*Member*
6	*Environmentalist*	*Member*
7	*Architect, having 20 years experience in architectural practice.*	*Member*

This Committee may be called "Tourism Development Area Committee" (TDAC). The persons at 5, 6 & 7 of the Committee may be nominated by Secretary, Tourism Department and the tenure of these members shall change after every 3 years, provided that the same person shall be eligible for reappointment as a Member.

(2) SIZE OF PLOT AND FSI Maximum area permissible as TDA out of a holding in NDZ shall be as follows:

No Development Zone		
Total TDZ Holding	*Maximum TDA area permissible (fixed)(in ha)*	*Maximum FSI Permissible*
More than 2 but less than 5 Ha	*40%*	*0.5 FSI over the TDA area subject to premium of 10% of A.S.R. over and above the Zonal (basic) F.S.I. i.e. 0.025 for NDZ, out of the amount of*
Equal to or more than 5 Ha but less than 6Ha	*50%*	
Equal to or more than 6 Ha but less than 7Ha	*60%*	

Equal to or more than 7 Ha but less than 8Ha	*70%*	*premium 50% is payable to State Government and 50% payable to MCGM.*
Equal to or more than 8 Ha but less than 9Ha	*80%*	
Equal to or more than 9 Ha but less than 10Ha	*90%*	
Equal to or more than 10 Ha	*100%*	

Explanation:

1. After deducting the area of TDA, FSI will be available for the rest of the land in NDZ, as provided for the area in NDZ as per clause (VI)(xii).

2. In case of plots having area more than 2 ha in NDZ, no subdivision of plots shall be permitted.

(a) Smaller Plots:

For existing landholders having smaller plots in NDZ, the provisions of promotion of Tourism through bed-and-breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per (A)(VI) of this regulation.

(b) Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:

i Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB.

ii Lands covered by mangroves.

iii Areas from NDZ directly abutting the Residential Zone without

		being separated by road having width not less than 18.30 m. ***(c) Infrastructural Facilities:*** *All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body.* ***(d) Reserved Sites for Tourism Development:*** *Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20.* ***(e) Environment:*** *Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA.* ***(f) (The projects identified as Mega Tourism Projects by Tourism and Cultural Affairs Department of the State Govt. under the Tourism Policy of Maharashtra- 2016" shall be governed by the following special provisions:-*** ***Mega Tourism Projects:-*** *1) The ground coverage shall be 1/2 of the plot area under TDA.* *2) The uses which are not covered under this Regulation like studio and Film School with their shooting stages and screening rooms, performing Arts Academy, Students Hostels and faculty residences, Auditoria, Art Gallery, Museums, Multiplex, Food &*

		Beverage areas and also a combination of compatible uses may be allowed, with the approval of the Urban Development Department of GOM. *3) The height up to 70 m may be allowed for Building of Film Studio, subject to the provisions of Regulation 47* *4) The height of a room in occupancy mentioned at Sr. No.1(e) (ii) of Table 15 of Regulation 37, may be permitted for Studio, Museum, Screening Rooms, Multiplex and Auditoria.* *5) The 35% fungible Compensatory Floor Space Index may be allowed, subject to the provisions of Regulation 31(3).* ***Note:-** The development in the Eco Sensitive Zone and Coastal Regulation Zone shall be governed and regulated as per MoEF's Notification in this regard and Circulars issued from time to time.* ***(V) Amusement park:*** *Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean-park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The Permissible FSI shall not Exceed 0.025 (excluding area of DP road)* *a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at anytime.* *b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner.* *c) The promoters of the project shall provide adequate facilities*

		for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic. *d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fastfood shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted* *e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and land scape.* *f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.* *g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park.* *h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.* *i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police.* *j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner.*

		k) No objection certificate of the Tourism Department shall be obtained. *l) The development shall be regulated according to other requirements of these Regulations and subject to all other clearances as may be required.* *m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects.* ***(VI) Miscellaneous Uses:*** *The following uses shall be permissible where the permissible FSI shall not exceed 0.025 (excluding area of DP road)* *(i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings* *(ii) Gardens and poultry farms;* *(iii) Forestry;* *(iv) Golf clubs and links;* *(v) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types.* *(vi) Race tracks and shooting ranges.* *(vii) Fish curing on open land/fish farming.* *(viii) Salt manufacture from sea water.* *(ix) Public utility establishments such as electric sub-*

		stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner. *(x) Cemeteries and crematoria and structures incidental thereto.* *(xi) Structure for watchmen's quarters each not exceeding 20 sq.m numbers of such structures in each plot to be decided by the Commissioner* *(xii) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion.* ***(VII) Periphery of Vihar and Pawai lake:*** *In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai Lake, in which no construction whatsoever shall be allowed. If within 100 m from the periphery of Vihar and Pawai lake there exists Municipal/Public Road may not be insisted.* ***(VIII) Global Cap on maximum permissible built up area in No Development Zone (NDZ):*** *Though certain users as mentioned in above provisions (I) to (VII) are permissible in No Development Zone, the construction in this zone is to be restricted due to various reasons like limited or no services available at present. Hence, the land in this zone is not barred for development, but to be released for development / construction in phases depending upon the availability of services and examining the requirements of the city. Therefore considering*

	the need and demand of Information Technology users as well as potential of this use for employment generation the same is allowed for limited period on certain conditions presently. *The sum total of the proposed built up areas approved in all proposals as per all above provisions (I) to (VII) and that in all proposals approved as per the provisions of earlier regulations shall not exceed 100% of the total area of land in this zone. BMC shall maintain the upto date record of all permissions granted along with the cumulative approved built up areas in this zone and the same shall be made available on website with real time updates accessible to general public.* Note:- *i) Reservation shall not be allowed to be developed under Regulation 17 under the Accommodation Reservation.* *ii) Land owner shall entitled for TDR as per Regulation 32, in lieu surrendering the land under reservation.*

By order and in the name of the Governor of Maharashtra,

NIRMALKUMAR P. CHAUDHARI,
Deputy Secretary to Government.

ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY DIRECTOR, RUPENDRA DINESH MORE, PRINTED AT GOVERNMENT CENTRAL PRESS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATIONS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004. EDITOR : DIRECTOR, RUPENDRA DINESH MORE.